



House of Representatives

General Assembly

File No. 527

January Session, 2003

House Bill No. 5145

House of Representatives, April 24, 2003

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT INCREASING THE FINE FOR INSTALLING OR USING MUFFLER SYSTEMS THAT CAUSE EXCESSIVE NOISE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-80 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) Each motor vehicle and the devices on such vehicle shall be
4 operated, equipped, constructed and adjusted to prevent unnecessary
5 or unusual noise.

6 (b) Each motor vehicle operated by an internal combustion engine
7 shall be equipped, except as hereinafter provided, with a muffler or
8 mufflers designed to prevent excessive, unusual or unnecessary
9 exhaust noise. The muffler or mufflers shall be maintained by the
10 owner in good working order and shall be in use whenever the motor
11 vehicle is operated. No person, including a motor vehicle dealer or
12 repairer or a motorcycle dealer, shall install, and no person shall use,

13 on a motor vehicle, a muffler or mufflers lacking interior baffle plates
14 or other effective muffling devices, a gutted muffler, a muffler cutout
15 or a straight exhaust except when the motor vehicle is operated in a
16 race, contest or demonstration of speed or skill as a public exhibition
17 pursuant to subsection (a) of section 14-164a, or any mechanical device
18 which will amplify the noise emitted by the vehicle. No person,
19 including a motor vehicle dealer or repairer or a motorcycle dealer,
20 shall remove all or part of any muffler on a motor vehicle except to
21 repair or replace the muffler or part for the more effective prevention
22 of noise. No person shall use on the exhaust system or tail pipe of a
23 motor vehicle any extension or device which will cause excessive or
24 unusual noise.

25 (c) The engine of every motor vehicle shall be equipped and
26 adjusted to prevent excessive fumes or exhaust smoke.

27 (d) All pipes carrying exhaust gases from the motor shall be
28 constructed of, and maintained with, leak-proof metal. Exhaust pipes
29 shall be directed from the muffler or mufflers toward the rear of the
30 vehicle and shall be approximately parallel with the longitudinal axis
31 of the vehicle and approximately parallel to the surface of the
32 roadway, or shall be directed from the muffler upward to a location
33 above the cab or body of the vehicle so that fumes, gases and smoke
34 are directed away from the occupants of the vehicle. Exhaust pipes on
35 a passenger vehicle shall extend to the extreme rear end of the vehicle's
36 body, not including the bumper and its attachments to the body, or
37 shall be attached to the vehicle in such a way that the exhaust pipes
38 direct the exhaust gases to either side of the vehicle ensuring that fresh
39 ambient air is located under the vehicle at all times. The Commissioner
40 of Motor Vehicles may adopt regulations in accordance with the
41 provisions of chapter 54 to establish safety standards for passenger
42 vehicles equipped with exhaust pipes located in front of the rear axle.

43 (e) Every motor vehicle shall, when operated on a highway, be
44 equipped with a horn in good working order and capable of emitting
45 sound audible under normal conditions from a distance of not less

46 than two hundred feet, but no horn or other warning device shall emit
47 an unreasonably loud or harsh sound or a whistle.

48 (f) No vehicle shall be equipped with, nor shall any person use on a
49 vehicle, any siren, whistle or bell as a warning signal device, except as
50 otherwise permitted by this section. Any motor vehicle may be
51 equipped with a theft alarm signal device which is so arranged that it
52 cannot be used by the driver as an ordinary warning signal. Any
53 authorized emergency vehicle may be equipped with a siren, whistle
54 or bell, capable of emitting sound audible under normal conditions
55 from a distance of not less than five hundred feet and of a type
56 approved by the Department of Motor Vehicles. Such signal shall not
57 be used unless the vehicle is operated in response to an emergency call
58 or in the immediate pursuit of an actual or suspected violator of the
59 law, in which event the driver of the vehicle shall sound the signal
60 when reasonably necessary to warn pedestrians and other drivers of
61 the approach of the vehicle.

62 (g) Any person who violates any provision of this section shall be
63 [deemed to have committed an infraction] fined one hundred fifty
64 dollars for each offense.

This act shall take effect as follows:	
Section 1	October 1, 2003

TRA *Joint Favorable C/R*

JUD

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Judicial Dept.	TF - Revenue Gain	89,250	119,000
Judicial Dept.	GF - Revenue Loss	12,000	16,000
Net State Impact	Revenue Gain	77,250	103,000

Note: TF=Transportation Fund; GF=General Fund

Municipal Impact: None

Explanation

The bill increases the amount of a fine imposed (from \$35 to \$150) for operating a motor vehicle that is unnecessarily loud.¹ This change would generate a net revenue gain to the state of about \$103,000 annually. Since the offenses in the bill would no longer be classified as infractions, the \$5 fee for additional police training and the \$20 court assessment surcharge (both of which are deposited into the General Fund) would no longer apply.

¹ The corresponding, Special Transportation Fund surcharge would increase under the bill from \$18 to \$75.

OLR Bill Analysis

HB 5145

***AN ACT INCREASING THE FINE FOR INSTALLING OR USING
MUFFLER SYSTEMS THAT CAUSE EXCESSIVE NOISE*****SUMMARY:**

This bill increases the fine for violating certain requirements relating to the mechanical equipment on motor vehicles, primarily, mufflers and exhaust pipes. It changes the fine from an infraction classification to an offense punishable by a fine of \$150. The change in classification would require violators to appear in court since the option of mailing in the fine through the Centralized Infractions Bureau is eliminated.

Currently, as an infraction, a violator who sends in the fine by mail and does not appear in court must pay a total of \$78. This includes the fine, a 50% surcharge on the fine for the Special Transportation fund (STF surcharge), an additional fee of \$1 for each \$8 or fraction thereof of the fine for police training, and a \$20 court cost surcharge. Thus, the fine portion of the total amount a violator currently may mail in (thus pleading no contest to the charge) is \$35.

Under the bill, the \$150 fine would still be subject to the 50% STF surcharge, but, since the offense would no longer be classified as an infraction, the \$1 for \$8 fee for additional police training and the \$20 court assessment would apparently no longer apply.

EFFECTIVE DATE: October 1, 2003

**MOTOR VEHICLE EQUIPMENT VIOLATIONS SUBJECT TO
INCREASED FINE**

The motor vehicle equipment offenses subject to the increased fine and offense reclassification include:

1. operating, constructing, equipping, or adjusting a motor vehicle thus causing unnecessary or unusual noise;
2. operating a motor vehicle with an improper muffler; failure to

maintain a muffler in good working order; installing or using a muffler lacking interior baffle plates or other effective muffling devices, a gutted muffler, a muffler cutout, or a straight exhaust; installing or using any mechanical device that amplifies the noise emitted by the vehicle; removing or replacing all or part of a muffler except to repair or replace it; or using an extension or device on an exhaust system or tail pipe that will cause unnecessary or unusual noise;

3. excessive fumes or exhaust smoke from a motor vehicle;
4. violating requirements applicable to the construction, placement, or positioning of exhaust pipes on a motor vehicle;
5. operating a motor vehicle with a defective horn; and
6. operating a siren, whistle, or bell on a motor vehicle except as specifically permitted by statute.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Change of Reference

Yea 26 Nay 0

Judiciary Committee

Joint Favorable Report

Yea 36 Nay 0